

§ 52.741 Control strategy: Ozone control measures for Cook, DuPage, Kane, Lake, McHenry and Will Counties.

(a) * * *

(3) * * *

Volatile organic material (VOM) or volatile organic compounds (VOC) is as defined in § 51.100(s) of this title.

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[FR Doc. 91-6216 Filed 3-15-91; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 300

[FRL-3913-6]

National Priorities List for Uncontrolled Hazardous Waste Sites; Deletion of a Site

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete sites from the National Priorities List. Request for comments.

SUMMARY: The Environmental Protection Agency (EPA) announces its intent to delete the Lansdowne Radiation Site from the National Priorities List (NPL) and requests public comment. As specified in appendix B of the National Oil and Hazardous Substances Contingency Plan (NCP), 40 CFR part 300 (as amended), which the EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9605, it has been determined that all Fund-financed responses under CERCLA have been implemented. EPA, in consultation with the Commonwealth of Pennsylvania, has determined that no further cleanup is appropriate. The purpose of this notice is to request public comment on the intent of EPA to delete the Lansdowne Radiation Site.

DATES: Comments may be submitted on or before April 17, 1991.

ADDRESSES: Comments may be mailed to Victor Janosik, Remedial Project Manager, Superfund Branch, (3HW22), Environmental Protection Agency, 841 Chestnut Street, Philadelphia, PA 19107.

The Deletion Docket is available for inspection Monday through Friday at the following locations and times:

U.S. EPA Region III, Hazardous Waste Management Division, 841 Chestnut Street, Philadelphia, PA 19107 from 9 a.m. to 5 p.m. Lansdowne Borough Hall, 12 East Baltimore Avenue, Lansdowne, PA 19150 from 9 a.m. to 4 p.m.

Lansdowne Public Library, 55 S. Lansdowne Avenue, Lansdowne, PA 19050 Monday through Friday 9 a.m. to 5:30 p.m.; Monday through Thursday 7

p.m. to 9 p.m.; Saturday 10 a.m. to 3 p.m.; and Sunday 1 p.m. to 4 p.m.

FOR FURTHER INFORMATION CONTACT: For background information on the site, contact Victor Janosik, (215) 597-8996.

SUPPLEMENTARY INFORMATION:

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I. Introduction

The Environmental Protection Agency (EPA) Region III announces its intent to delete a site from the National Priorities List (NPL), appendix B, of the National Oil and Hazardous Substances Contingency Plan (NPL), 40 CFR part 300 (as amended), and requests comments on this deletion. The EPA identifies sites that appear to present a significant risk to human health or the environment and maintains the NPL as the list of those sites. Sites on the NPL may be remediated using the Hazardous Substances Superfund. Any sites deleted from the NPL remain eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action.

EPA plans to delete the Lansdowne Radiation Site in the Borough of Lansdowne, Delaware County, Pennsylvania from the NPL.

The EPA will accept comments on this site for April 17, 1991.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that the EPA is using for this action. Section IV discusses the Lansdowne Radiation Site and explains how the site meets the deletion criteria.

II. NPL Deletion Criteria

Amendments to the NCP published in the *Federal Register* on March 8, 1990, (55 FR 8666) establish the criteria the Agency uses to delete sites from the NPL. Section 300.425(e) of the NCP, 40 CFR 300.425(e), provides that releases may be deleted from or recategorized on the NPL where no further response is appropriate. In making a determination to delete a release from the NPL, EPA shall consider, in consultation with the state, whether any of the following criteria have been met:

(i) Responsible parties or other persons have implemented all appropriate response actions required;

(ii) All appropriate Fund-financed response under CERCLA has been implemented, and no further action by responsible parties is appropriate; or

(iii) The remedial investigation has shown that the release poses no

significant threat to public health or the environment and, therefore, taking of remedial measure is not appropriate.

In addition to the above, for all remedial actions which result in hazardous substances, pollutants, or contaminants remaining at the site above levels that allow unlimited use and unrestricted exposure, it is EPA's policy that sites generally will not be deleted from the NPL until at least one five-year review has been conducted following completion of all remedial actions at a site (except operation and maintenance), any appropriate actions have been taken to ensure that the site remains protective of public health and the environment, and the site meets EPA's deletion criteria as outlined above. The remedial action implemented at the Lansdowne Radiation Site involved removal of all radium-contaminated debris and the excavation of soils to a maximum of 5 pico-Curies per gram (pCi/g) above background levels. As a result of implementing this remedy, hazardous substances, pollutants, and contaminants were removed from the site allowing for unlimited use and unrestricted exposure. Consistent with NCP § 300.430(f)(4)(ii), 40 CFR 300.430(f)(4)(ii), five year reviews are not necessary for this site.

Before deciding to delete a site, EPA will make a determination that the remedy, or the decision that no remedy is necessary, is protective of human health and the environment consistent with section 121(d) of the Superfund Amendments and Reauthorization Act (SARA) of 1986.

Deletion of a site from the NPL does not preclude eligibility for subsequent Fund-financed actions if future conditions warrant such action. Section 300.425(e)(3) of the NCP, 40 CFR 300.425(e)(3), provides that Fund-financed actions may be taken at sites that have been deleted from the NPL.

III. Deletion Procedures

In the NPL rulemaking published on October 15, 1984 (49 FR, 40320), the Agency solicited and received comments on whether the notice of comment procedures followed for adding sites to the NPL should also be used before sites are deleted. Comments were also received in response to the amendments to the NCP proposed on December 21, 1988 (53 FR 51394).

Deletion of a site from the NPL does not itself create, alter, or revoke any individual rights or obligations. The NPL is designed primarily for information purposes and to assist Agency management. As mentioned in section II of this notice, 40 CFR 300.425(e)(3) states

that deletion of a site from the NPL does not preclude eligibility for future Fund-financed response actions.

For deletion of this site, EPA's Regional Office will accept and evaluate public comments before making the final decision to delete.

A deletion occurs when the Regional Administrator places a notice in the **Federal Register**. Generally the NPL will reflect deletions in the final update following deletion. Public notices and copies of the Responsiveness Summary will be made available to local residents by the Regional Office.

IV. Basis for Intended Site Deletion

The following site summary provides the Agency's rationale for the intention to delete this site from the NPL.

Lansdown Radiation Site, Borough of Lansdowne, Delaware County, Pennsylvania.

The Lansdowne Radiation Site consisted of a three-story duplex dwelling at 105-107 East Stratford Avenue, Lansdowne, Pennsylvania, the soils surrounding the dwelling, the municipal sewer line on East Stratford Avenue, several automobile garages and numerous incidental small areas all contaminated with radium.

During October through December 1984, EPA and Argonne National Laboratory personnel investigated the site and found elevated levels of radiation in the house, garages, the soils and the sewer line. Radiation levels found in the house during the investigation ranged as high as 900,000 disintegrations per minute per 100 square centimeters for beta/gamma radiation and 200,000 disintegrations per minute per 100 square centimeters for alpha radiation. Ambient radiation levels in the 105 residence were as high as 183 micro-Roentgens per hour (uR/h). Air samples revealed radon daughter Working Levels (WL) ranging from 21 milli-Working Levels (mWL) to 309 mWL inside the structure. These levels were well above the 20 mWL limit recommended in 40 CFR 192 (Radiation Protection Programs) and the 29 uR/h above-background standard also set in 40 CFR part 192 for occupied buildings.

Soil samples obtained on the site showed that radium concentrations were as high as 700 pico Curies per gram (pCi/g) and that a contamination penetrated into the soil to a depth of eight feet.

The Centers for Disease Control (CDC) advised EPA that long-term residents of the dwellings were endangered due to the elevated gamma radiation and radon daughter levels. The site was nominated by the EPA Region 3

Acting Regional Administrator for inclusion on the National Priorities List (NPL) on March 7, 1985 and was promulgated on the final NPL on September 1, 1985. Documents generated by the Argonne National Laboratory as a result of the investigation/Feasibility Study (RI/FS). These documents were placed in a repository for public review.

On September 22, 1986 the Regional Administrator approved a Record of Decision (ROD) which selected dismantlement of the contaminated structures, excavation of contaminated soil, removal of the contaminated sewer line, and offsite disposal of the radium-contaminated materials as the remedial action alternative.

Onsite remedial activities began in August 1988 and continued through July 1989. As a result of the remedial action, approximately 4109 tons of radium-contaminated soil and 1430 tons of contaminated rubble were generated. The contaminated rubble included 243 feet of sewer line which was removed from East Stratford Avenue. All radium-contaminated materials were shipped to an approved offsite disposal facility. No portion of the site contained radium contamination in excess of 5 pCi/g above the background level of 1.5 pCi/g at the end of the remedial action excavations. At this level the site is considered to be available for unrestricted use.

Site restoration activities included the replacement of the sewer line on East Stratford Avenue, backfill of excavated areas with clean soil, establishment of grass soil cover, rebuilding of two of the garages, planting of replacement trees and shrubs, resurfacing of East Stratford Avenue, and replacement of damaged sidewalks and curbing. Maintenance of the properties, including moving of grass and snow removal, has been assumed by the property owners.

EPA, with concurrence of the Commonwealth of Pennsylvania, has determined that all appropriate Fund-financed responses under the CERCLA at the Lansdowne Radiation Site have been completed and that no further cleanup is appropriate.

List of Subjects in 40 CFR part 30

Hazardous waste, oil pollution, superfund.

Dated: February 28, 1991.

Edwin B. Erickson,

Regional Administrator, Region III.

[FR Doc. 91-6076 Filed 3-15-91; 8:45am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIM 1018-AB42

Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Certain Populations of the African Elephant and Revision of Special Rule

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Fish and Wildlife Service (Service) proposes to reclassify most populations of the African elephant (*Loxodonta africana*) from threatened to endangered status. The proposal would classify all African elephants (including their parts and products) as endangered wherever found, except in Botswana, Zimbabwe, and South Africa, where they would remain threatened. The Service also at this time: (1) Withdraws its May 5, 1989, proposal (54 FR 19416) to amend its regulations found at 50 CFR 14.91, § 14.92, and § 17.3, and the African elephant special rule found at § 17.40(e), (2) proposes to amend its regulations found at 50 CFR 17.21; and (3) proposes to revise the African elephant special rule found at § 17.40(e). The Service seeks relevant data and comments from the public, and especially from authorities within African range states before preparing a final rule. This information will be evaluated, and the result of the analysis may lead to a final rule that differs substantively from this proposal.

DATES: Comments must be received by July 16, 1991. Public hearing requests must be received May 2, 1991.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Chief, Office of Scientific Authority; mail stop: Arlington Square, room 725, U.S. Fish and Wildlife Service; Washington, DC 20240. Comments and materials received will be available for public inspection, by appointment, from 8 a.m. to 4 p.m. Monday through Friday, in room 750, 4401 North Fairfax Drive, Arlington, Virginia 22203.

FOR FURTHER INFORMATION CONTACT: Dr. Charles W. Dane, Chief, Office of Scientific Authority, at the above address (703-358-1708 or FTS 921-1708).

SUPPLEMENTARY INFORMATION:

Background

The continental population of the African elephant has diminished over